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Attorneys for Defendants
Salisbury Bank and Trust Company and Salisbury Bancorp, Inc.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WILLIAM GUNNAR TRUITT,

Plaintiff,

-against-

SALISBURY BANK AND TRUST COMPANY;
AND SALISBURY BANCORP, INC.,

Defendants.

Civil Action No.: 7:18-cv-08386-NSR-PED

**DECLARATION OF JENNIFER I.
FISCHER IN FURTHER SUPPORT OF
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

JENNIFER I. FISCHER, of full age, hereby declares pursuant to 28 U.S.C. § 1746:

1. I am an attorney-at-law admitted to practice before this Court and an Associate at the law firm of Littler Mendelson, P.C., attorneys for Defendants Salisbury Bank and Trust Company and Salisbury Bancorp, Inc. (together, "Defendants") in the above-captioned matter. I submit this Certification in further support of Defendants' motion for summary judgment.

2. Attached as **Exhibit B Supplement** are true and exact copies of the relevant pages from the transcript of the deposition of Plaintiff William Gunnar Truitt ("Plaintiff"), conducted on June 27, 2019.

Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: January 28, 2020

By: /s/ Jennifer I. Fischer

Jennifer I. Fischer

EXHIBIT B

SUPPLEMENT

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS COUNTY

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WILLIAM GUNNAR TRUITT,

Plaintiff,

-against-

SALISBURY BANK and TRUST COMPANY; and
SALISBURY BANCORP, INC.,

Defendants.

-----X

June 27, 2019

9:42 a.m.

EXAMINATION BEFORE TRIAL of WILLIAM GUNNAR
TRUITT, a Plaintiff herein, taken by the
respective parties, pursuant to Court Order,
held at the offices of McCullough Ginsberg
Montano & Partners, 122 East 42nd Street, Suite
3505, New York, New York, before Shechinah
Jackson, a Notary Public for and within the
State of New York.

<p style="text-align: right;">Page 106</p> <p>1 W. TRUITT</p> <p>2 please allow me to stay in this position.</p> <p>3 Q. And what did Rick say in response?</p> <p>4 A. Basically, similar to what Doug had</p> <p>5 reiterated or said on Thursday or Friday when I</p> <p>6 had met him, similar to time commitment that he</p> <p>7 talked to the board of directors, that he</p> <p>8 wouldn't be able to explain it to them that we</p> <p>9 have a person running for the State Assembly</p> <p>10 and that if it was his son, he would recommend</p> <p>11 that his son runs for the assembly over --</p> <p>12 Q. Let me step back. When you say he</p> <p>13 couldn't explain it to the board, can you</p> <p>14 clarify that?</p> <p>15 A. I can't clarify that. I don't know.</p> <p>16 I don't know what that meant either. That he</p> <p>17 would have to talk to the people of the board</p> <p>18 of directors and clearly there was uncomfot</p> <p>19 there, amongst them, that I was running.</p> <p>20 Q. Did he tell you specifically that he</p> <p>21 had already spoken to the board or he would</p> <p>22 need to go to the board?</p> <p>23 A. I believe that he spoken to them. I</p> <p>24 believe that's what he said.</p> <p>25 Q. He reiterated the same concern about</p>	<p style="text-align: right;">Page 107</p> <p>1 W. TRUITT</p> <p>2 the time commitment that Mr. Cahill had</p> <p>3 advised; is that correct?</p> <p>4 A. Yes. And again, with the saying that</p> <p>5 it wasn't a concern for the publicity, or</p> <p>6 whatever, they both stated that.</p> <p>7 Q. Was anything else discussed?</p> <p>8 A. That had I not been successful he</p> <p>9 would welcome me to apply, again, in November</p> <p>10 or whenever.</p> <p>11 Q. Did Mr. Cantele stay anything else?</p> <p>12 A. Just like I said. I remember him</p> <p>13 saying if it was his son he would of</p> <p>14 recommended him do it, because he thought it</p> <p>15 was really, I guess -- again cool is not the</p> <p>16 best word for it -- something most people don't</p> <p>17 do, and that it was like a once in a lifetime</p> <p>18 opportunity, and that he thought that was</p> <p>19 something that that's what I should pursue.</p> <p>20 Q. Anything else?</p> <p>21 A. That's about all that I can recall.</p> <p>22 Q. And had you not decided to pursue this</p> <p>23 opportunity, did Mr. Cantele say that you would</p> <p>24 have remained in your position as a mortgage</p> <p>25 originator trainee?</p>
<p style="text-align: right;">Page 108</p> <p>1 W. TRUITT</p> <p>2 A. It was never said that I was a</p> <p>3 mortgage originator trainee. That wasn't said</p> <p>4 in any of these conversations.</p> <p>5 At this point I believe, and I thought</p> <p>6 I was a mortgage loan originator based on what</p> <p>7 we had spoken about prior --</p> <p>8 Could you repeat the question?</p> <p>9 Q. Yes, let me rephrase it.</p> <p>10 Did anyone, did either Rick or Doug</p> <p>11 state that your employment at Salisbury Bank</p> <p>12 would be terminated whether or not you chose to</p> <p>13 run for office?</p> <p>14 MR. LOWER: Objection to form.</p> <p>15 A. Not at all, being that they had said</p> <p>16 they were both very impressed with what I had</p> <p>17 accomplished so far and how quickly I retained</p> <p>18 information and that both Amy Raymond and</p> <p>19 Andrea MacArthur were both very impressed with</p> <p>20 the work I have done up to that point, and that</p> <p>21 they were sad to see me go, but that if I was</p> <p>22 running I could no longer continue working for</p> <p>23 the bank.</p> <p>24 And so it was that ultimatum, that I</p> <p>25 had to pick one or the other. And it's not</p>	<p style="text-align: right;">Page 109</p> <p>1 W. TRUITT</p> <p>2 that I picked the assembly over the bank. I</p> <p>3 had said I want to stay in this role, and I</p> <p>4 know I can do both.</p> <p>5 Q. After your conversation with Mr.</p> <p>6 Cantele was anything else discussed with any of</p> <p>7 the executives at Salisbury Bank regarding your</p> <p>8 election?</p> <p>9 MR. LOWER: Objection to form.</p> <p>10 A. Can you state that again, like</p> <p>11 rephrase that.</p> <p>12 Q. Sure. I think you testified as to the</p> <p>13 completeness of the meeting, correct? You</p> <p>14 testified as to everything you can recall that</p> <p>15 was discussed at your meeting with Rick</p> <p>16 Cantele?</p> <p>17 A. Yes. I believe so, that I can recall.</p> <p>18 Q. When the meeting ended, did you have</p> <p>19 any further meeting or any further</p> <p>20 communications with anybody at Salisbury Bank</p> <p>21 regarding you running for office?</p> <p>22 MR. LOWER: Objection.</p> <p>23 A. It was the next day I believe that I</p> <p>24 had sent an e-mail -- well, I had received a</p> <p>25 text message from Amy asking what my decision</p>